



Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
Secretary of Health

INTEROFFICE MEMORANDUM

DATE: March 7, 2007

TO: County Health Department HIV/AIDS Program Coordinators
County Health Department HIV/AIDS Contract Managers
County Health Department AIDS Drug Assistance Program Contacts

FROM: Thomas Liberti, Chief, Bureau of HIV/AIDS *Thomas Liberti*

SUBJECT: Implementation of Eligibility Rule

FOR INFORMATION ONLY

On January 3, 2007, the Department of Health, Bureau of HIV/AIDS filed the patient care eligibility rule for final adoption with the Department of State, Bureau of Administrative Code. The new rule officially known as Chapter 64D-4, Eligibility Requirements for HIV/AIDS Patient Care Programs, Florida Administrative Code became effective January 23, 2007.

The eligibility rule standardizes the eligibility requirements, documentation, and procedures for all of the HIV/AIDS Patient Care Programs which include: Title II Consortia Program, AIDS Drug Assistance Program (ADAP), AIDS Insurance Continuation Program (AICP), state Housing Opportunities for Persons With AIDS (HOPWA), and HIV/AIDS Patient Care Programs provided by the Patient Care Networks and County Health Departments. However the ADAP, AICP and HOPWA programmatic requirements remain unchanged.

The implementation of the new eligibility rule requirements is in process through regional training sessions for ADAP coordinators, case managers and other staff responsible for determining eligibility for the HIV/AIDS Patient Care Programs. By March 15, 2007, all areas will be trained, manuals and materials distributed, and the eligibility procedures specified in the rule fully implemented. Key implementation issues related to the rule are listed below:

1. The new eligibility requirements will be implemented at the re-determination date for all existing clients. The new eligibility requirements will be implemented immediately for new applicants.
2. There are new procedures for issuing the Notice of Eligibility, Ineligibility and Request for Exception. These procedures must be followed as presented in Chapters 8, 9 and 10 of the *Determining Eligibility Staff Procedures Manual* which is being distributed statewide. PLEASE NOTE: Most requirements remain the same, but the most significant change in the new eligibility process will be experienced by the AIDS Drug Assistance Program. The income (300% FPL) and cash asset requirements (\$12,000) will drop for ADAP from 350% of the Federal Poverty Level to 300% and from \$25,000 cash assets to \$12,000. Although these procedures are discussed and reviewed during the training sessions, it is important to note the following safeguard for our existing clients:

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- a. An ADAP client receiving services at the time of rule implementation with an income between 300-350% of the Federal Poverty Level, and/or with assets between \$12,000-\$25,000, who meets all other eligibility requirements, WILL CONTINUE TO BE ELIGIBLE TO RECEIVE SERVICES. ADAP coordinators will immediately contact the bureau's ADAP staff by phone in this situation, and must also complete and submit a Request for Exception form (Chapter 8 and Attachment N in the *Determining Eligibility Staff Procedures Manual*) following the instructions. The bureau will grant exceptions for these ADAP clients who would otherwise lose their established access to treatment under the new rule.
 - b. Subsequent exceptions will be granted as needed for this limited number of active clients who were adversely affected by the rule adoption.
3. Coordination and communication between eligibility staff (ADAP Coordinators, HOPWA, AICP and Consortia case managers) is essential to achieve the anticipated benefits of streamlining the eligibility process and reduce duplicative processes.

I encourage everyone who has not completed the training to attend one of the final scheduled trainings. There will be additional training opportunities if staff is unable to attend any of the regional trainings. The additional training may be accomplished through satellite training, live meeting and conference call sessions, face-to-face training or other options to suit the needs of staff. Thank you for your support and cooperation.

TL/pm

cc: Ryan White Title II Lead Agencies
AIDS Drug Assistance Program (ADAP) Coordinators
Ryan White Title I Planning Councils
Housing Opportunities for Persons with AIDS (HOPWA) Project Sponsors
Health Council of South Florida
Patient Care Section Staff
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